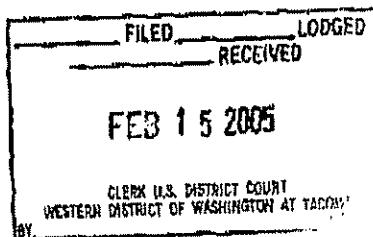


# **EXHIBIT D**

Hon. Robert S. Lasnik

Peter D. Stutheit, WSBA #32090  
YARMUTH WILSDON CALFO, PLLC  
The IDX Tower  
925 Fourth Avenue, Suite 2500  
Seattle, Washington 98104-1157  
206-516-3800  
206-516-3888 fax  
[pstutheit@yarmuth.com](mailto:pstutheit@yarmuth.com)



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

DIRECTV, INC., a California corporation,

Plaintiff,

v.

KEVIN H. CRAIG,

Defendant.

No. C03-5659 (FDB) RSL  
DIRECTV Litigation

[PROPOSED] ORDER GRANTING  
DEFAULT JUDGMENT AGAINST  
DEFENDANT KEVIN H. CRAIG

THIS MATTER came before the Court on the Plaintiff's Motion for Entry of Default Judgment against Kevin H. Craig in the sum certain amount of Thirty Thousand Dollars (\$30,000.00) as statutory damages and \$850.00 as reasonable attorney's fees and costs.

The Court considered the pleadings and records filed in this action, including the affidavit of plaintiff's counsel in support of its motion, and the proof of service on file.

Based on the argument of counsel and the pleadings and evidence presented, the Court finds:

1. Defendant Kevin H. Craig purchased and used illegally modified DIRECTV Access Cards and other devices ("Pirate Access Devices") that are designed



ULT

YARMUTH WILSDON CALFO PLLC

03-CV-05659-ORD

THE IDX TOWER  
925 FOURTH AVENUE, SUITE 2500  
SEATTLE WASHINGTON 98104  
T 206.516.3800 F 206.516.3888

1 to permit viewing of DIRECTV's television programming without  
2 authorization by or payment to DIRECTV.

3 2. Defendant Kevin H. Craig purchased three (3) Pirate Access Device from  
4 DSS-Stuff, a distributor of illegal pirate access devices that shipped its  
5 products to Defendant Kevin H. Craig.

6 3. Defendant Kevin H. Craig placed the order for a Pirate Access Device  
7 by using interstate or foreign wire facilities, and received his order via the  
8 United States Postal Service or commercial mail carriers.

9 4. Defendant Kevin H. Craig purchases included two (2) programmers  
10 specifically designed to illegally modify DIRECTV access cards, and one  
11 (1) printed circuit board device called an "Unlooper." Defendant Craig used  
12 these devices to view DIRECTV's television programming without  
13 authorization by or payment to DIRECTV.

14 5. Plaintiff is entitled to the amount of Thirty Thousand Dollars (\$30,000.00)  
15 (3 x \$10,000 per violation) as statutory damages and \$850.00 as reasonable  
16 attorney's fees and costs, both sums certain pled for in plaintiff's complaint.

17 6. Defendant Kevin H. Craig has been declared in default by the Court's order  
18 of September 29, 2004.

19 ////

20 ////

21 ////

22 ////

23 ////

24 ////

1 Based on the above findings, a Default Judgment is ORDERED and entered as  
2 follows:

3 Plaintiff DIRECTV, Inc. is awarded judgment against Defendant Kevin H. Craig in  
4 the amount of Thirty Thousand Dollars (\$30,000.00) as statutory damages plus \$850.00 as  
5 reasonable attorney's fees and costs. Interest on the judgment in the amount of 12% per  
6 annum shall accrue from the date of entry of this order.

7  
8  
9 DONE IN OPEN COURT this 11<sup>th</sup> day of February, 2005.

10  
11   
12 UNITED STATES JUDGE ROBERT S. LASNIK

13  
14 Presented by:

15 YARMUTH WILSDON CALFO PLLC

16  
17   
18 By: Peter D. Stutheit, WSBA No. 32090  
19 Attorneys for Plaintiff DIRECTV, Inc.

20  
21  
22  
23  
24  
25  
26  
[PROPOSED] ORDER GRANTING DEFAULT  
JUDGMENT AGAINST DEFENDANT  
KEVIN H. CRAIG  
NO. C03-5659 (FDB) RSL - Page 3

308.61 WA 15084603 2/8/05

YARMUTH WILSDON CALFO PLLC

THE IDX TOWER  
825 FOURTH AVENUE, SUITE 2500  
SEATTLE WASHINGTON 98104  
T 206.618.3600 F 206.618.3688